

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

IN RE:

Cassandra Thomas Landry

Case No.: 18-55697-LRC

Chapter: 7

Debtor(s)

Objection to Employment of Herbert Broadfoot HPC

Currently, there are several conflicts regarding the employment of the above named counsel. Counsel stated in his application dated 1/7/19 that he does not hold an interest adverse to the

Debtor and two additional counsels are involved in the same matter. The property located at 3347 Habersham at Peachtree Bldg #1, Tucker Georgia 30084.

Debtor is not in agreement with appointment. Mr. Hays has the agenda to liquidate. I question his ability to provide a thorough and complete scope of service in this matter. Preparations are not within 10 mile radius.

Dated: 1/10/19

Signature:

Cassandra Thomas Landry

Printed Name:

Cassandra Thomas Landry  
8691 N. Cheez Valley Road  
Atlanta Georgia 30317

Address:

Phone:

678 8603621

FILED IN CLERK'S OFFICE  
U.S. BANKRUPTCY COURT  
NORTHERN DISTRICT  
OF GEORGIA

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DEPUTY CLERK



UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

IN RE:

CASSANDRA JOHNSON LANDRY,

Debtor.

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CHAPTER 7

CASE NO.: 18-55697-LRC

**TRUSTEE'S APPLICATION FOR APPROVAL OF EMPLOYMENT OF**  
**HERBERT C. BROADFOOT II, P.C. AS COUNSEL FOR TRUSTEE**

COMES NOW S. Gregory Hays as Chapter 7 Trustee ("Trustee Hays" or "Applicant") for the bankruptcy estate of Cassandra Johnson Landry ("Debtor") and hereby files this Application for Approval of Employment of Herbert C. Broadfoot II, P.C. as Counsel for the Trustee pursuant to 11 U.S.C. Section 327 and Bankruptcy Rules 2014 and 5002 and respectfully shows the Court as follows:

1. On April 3, 2018, Debtor acting *Pro Se* filed a petition for relief under Chapter 13 of Title 11, United States Code, 11 U.S.C. Section 101 et seq. (as amended, modified, or supplemented) (the "Bankruptcy Code"). Debtor requested that her case be converted to Chapter 7, and the case was converted to Chapter 7 on September 14, 2018. Debtor has continued to represent herself throughout this case.

2. Applicant was thereafter appointed Trustee and continues to act in that capacity. Applicant wishes to employ the law firm of Herbert C. Broadfoot II, P.C. as counsel in this Chapter 7 case.

3. Attorney Herbert C. Broadfoot II is admitted to practice before this Court, has extensive knowledge and experience in bankruptcy practice, and is well qualified to represent Applicant.

4. During the Chapter 7 case, Applicant will require professional services from counsel including:

- A) Preparation of applications and pleadings incidental to the administration of the case;
- B) Representation of Applicant at meetings and hearings;
- C) Assisting the Applicant in the investigation, collection and liquidation of estate assets; and
- D) Representation the Applicant in contested matters and adversary proceedings.

5. Except as set forth in the attached Declaration, to the best of Applicant's knowledge Herbert C. Broadfoot II, P.C. does not hold or represent an interest adverse to the estate, and is a "disinterested person" as that term is defined in the Bankruptcy Code. Furthermore, Applicant submits that the firm's employment will be in the best interest of the estate and its creditors.

6. Applicant desires to employ Herbert C. Broadfoot II, P.C. at the firm's ordinary rates for comparable work, plus reasonable expenses, subject to review and approval by the

Court, during the pendency of this bankruptcy case. The firm has a present fee rate of \$375 per hour. Rates may be adjusted from time to time.

7. Attached hereto and incorporated herein by reference is the Declaration of Herbert C. Broadfoot II offered in support of this Application.

WHEREFORE, Applicant prays that he be authorized to employ Herbert C. Broadfoot II, P.C. as his attorney in this Chapter 7 case.

Dated this 7th day of January, 2019.

/s/ S. Gregory Hays

S. Gregory Hays, Trustee

2964 Peachtree Road, N.W.

Suite 555

Atlanta, GA 30305

**DECLARATION OF HERBERT C. BROADFOOT II IN SUPPORT OF APPLICATION  
FOR APPROVAL OF EMPLOYMENT AS ATTORNEY FOR TRUSTEE**

Herbert C. Broadfoot II declares as follows:

1.

I am an attorney in the law firm of Herbert C. Broadfoot II, P.C. (the "Firm") and in that capacity I have personal knowledge of, and authority to speak on behalf of the Firm with respect to the matters set out herein. This Declaration is offered in support of the Application of S. Gregory Hays, Trustee in the above-captioned case, to employ the Firm as the Trustee's attorney (the "Application"), and the matters set out herein are true and correct to the best of my knowledge, information, and belief.

2.

Neither I nor the Firm have or represent any interest adverse to the Debtor or the Debtor's estate, or have had any connections with the Debtor, the Debtor's creditors, any other party in interest, their respective attorneys and accountants, the United States Trustee, or any person employed in the office of the United States Trustee.

3.

The Firm has no partners, associates, or other professional employees who are related to any Judge of the United States Bankruptcy Court for the Northern District of Georgia.

4.

Neither I nor the Firm have agreed to share any compensation or reimbursement under 11 U.S.C. Section 503(b) with any other person except within the Firm pursuant to the partnership

agreement of the members of the Firm.

5.

I am duly admitted to practice law in the United States District Court for the Northern District of Georgia, among other United States Courts. I have had substantial experience in practice before the United States Bankruptcy Court for the Northern District of Georgia and before other Bankruptcy Courts.

6.

To the best of the undersigned's knowledge, information and belief, employment of the Firm as attorney for the Trustee would be appropriate under 11 U.S.C. Section 327 and Bankruptcy Rules 2014 and 5002.

7.

The foregoing statements are true and based upon my personal knowledge and are made under penalty of perjury.

Declared on January 4th, 2019.

**Herbert C. Broadfoot II, P.C.**

/s/ Herbert C. Broadfoot II

Herbert C. Broadfoot II

Georgia Bar No. 083750

Proposed Attorney for Trustee

2964 Peachtree Road, N.W.

Suite 555

Atlanta, Georgia 30305

CERTIFICATE OF SERVICE

This is to certify that I have this date served a true and correct copy of the foregoing  
**Trustee's Application for Approval of Employment of Herbert C. Broadfoot II, P.C. as  
Counsel for the Trustee** upon the parties listed below via the Court's ECF system or by U.S.  
Mail at the addresses stated :

Lindsay P. Kolba  
Office of the United States Trustee  
362 Richard Russell Building  
75 Ted Turner Drive, SW  
Atlanta, GA 30303

Cassandra Johnson Landry  
869 Natchez Valley Trace  
Grayson, GA 30017

Brian K. Jordan  
Aldridge Pite, LLP  
Fifteen Piedmont Center  
3575 Piedmont Rd., N.E., Ste. 500  
Atlanta, GA 30305



Gregory M. Taube  
Nelson Mullins Riley  
201 17<sup>th</sup> Street, N.W.  
Suite 1700  
Atlanta, GA 30363

David S. Klein  
Rountree & Leitman, LLC  
2800 North Druid Hills Road  
Building B, Suite 100  
Atlanta, GA 30329

A. Michelle Hart Ippoliti  
McCalla Raymer Leibert Pierce, LLC  
1544 Old Alabama Road  
Roswell, GA 30076

Dated this 7th day of January, 2019.

HERBERT C. BROADFOOT II, P.C.

/s/ Herbert C. Broadfoot II  
Herbert C. Broadfoot II  
Georgia Bar No. 083750  
Proposed Attorney for Trustee